OT 18 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

C. Glen Wensley

Art Unit: 1746

Serial No. 09/851,479

Examiner: M. Wills

Filed: May 8, 2001

For: SEPARATOR FOR POLYMER BATTERY

Mail Stop Appeal Brief-Patents Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING

Date of Deposit: October 15, 2004

I hereby certify that the attached correspondence comprising:

- Notice of Appeal
- Appeal Brief & Appendix (in triplicate)
- Fee Transmittal (in duplicate)
- Return Receipt Postcard

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated above.

Janice B. Davis

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## FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	680.	.00

Complete if Known			
Application Number	09/851,479		
Filing Date	May 8, 2001		
First Named Inventor	C. Glen Wensley	-	
Examiner Name	M. Wills		
Art Unit	1746		
Attorney Docket No.	2000.34		

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)				
Check Credit card Money Other None	3. ADDITIONAL FEES					
	Large Entity   Small Entity					
X Deposit Account:				Fee	Fee Description	
Deposit Account 08-2447	Code		Code		•	Fee Paid
Number	1051	130	2051		Surcharge - late filing fee or oath	
Deposit Account Robert H. Hammer III, P.C.	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name		130	1053	130	Non-English specification	
The Director is authorized to: (check all that apply)  X Charge fee(s) indicated below  X Credit any overpayments		2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)		920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee		1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-identified deposit account.	1251	110	2251	E E		
FEE CALCULATION		110			Extension for reply within first month  Extension for reply within second month	
1. BASIC FILING FEE	1252	430	2252			
Large Entity Small Entity Fee Fee Fee Fee Paid	1253	980	2253		Extension for reply within third month	
Fee Fee Fee Fee Paid Code (\$) Code (\$)	1254 1	1,530	2254		Extension for reply within fourth month	<del>  </del> ,
1001 790 2001 395 Utility filing fee	1255 2	2,080	2255	1,040	Extension for reply within fifth month	
1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	340.00
1003 550 2003 275 Plant filing fee	1402	340	2402	170	Filing a brief in support of an appeal	340.00
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451 1	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$)	1452	110	2452	55	Petition to revive - unavoidable	
		1,370	2453	685	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501 1	1,370	2501	685	Utility issue fee (or reissue)	
Ext <u>ra Claim</u> s <u>below</u> <u>Fee Paid</u>	1502	490	2502	245	Design issue fee	
Total Claims20** = X =	1503	660	2503	330	Plant issue fee	
Independent 3** = X =	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent =	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity   Small Entity	1806	180	1806		Submission of Information Disclosure Stmt	
Fee Fee Fee Fee <u>Fee Description</u> Code (\$)	8021	40	8021	1 40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 88 2201 44 Independent claims in excess of 3	1809	790	2809	395	Filing a submission after final rejection	
1201 88 2201 44 Independent claims in excess of 3 1203 300 2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	(37 CFR 1.129(a)) For each additional invention to be	
1204 88 2204 44 ** Reissue independent claims					examined (37 CFR 1.129(b))	<del></del>
over original patent	1801 1802	790 900	2801 1802		Request for Continued Examination (RCE)  Request for expedited examination	$\vdash$
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent				300	of a design application	<u> </u>
SUBTOTAL (2) (\$)		fee (sp		=		<u> </u>
**or number previously paid, if greater; For Reissues, see above			Basic I	Filing F	ee Paid SUBTOTAL (3) (\$)	680.00

SUBMITTED BY

Name (Print/Type)

Scott E. Hanf
(Attorney/Agent)

Signature

(Complete (if applicable))

Telephone
704-927-0400

Date
October 15, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRE SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.